

The Commonwealth of Massachusetts

ANNUAL REPORT

OF THE

COMMISSIONER

OF

STATE AID AND PENSIONS

FOR THE

YEAR ENDING NOVEMBER 30, 1925



1926

The Commonwealth of Massachusetts

Office of the Commissioner of State Aid and Pensions,
State House, Boston, January 7, 1926.

To the Honorable Senate and the House of Representatives.

In compliance with the requirements of Chapter 115, Section 2, General Laws, I submit herewith to your honorable bodies the annual report of the Department of State Aid and Pensions, the matter relating to State and Military Aid and burials being for the year 1924, and that part relating to pensions covering the year 1925.

Very respectfully,

RICHARD R. FLYNN,
Commissioner.

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REPORT

STATE AND MILITARY AID AND BURIAL EXPENSES.

Disbursements of State and Military Aid to soldiers, sailors and marines of the Civil and Spanish wars, the Philippine Insurrection, the Mexican Border service and the war with Germany, and their dependents, and also on account of burial of soldiers, sailors and marines of the Civil and Spanish wars, the Philippine Insurrection, the Mexican Border service and the war with Germany, and their wives, widows and dependent mothers, and army nurses, were made by 322 cities and towns in the Commonwealth during the year 1924, reimbursement being due and payable to the disbursing municipalities on or before November 10, 1925, as follows:—

State Aid to soldiers and dependents, Civil War	\$245,987.00
State Aid to soldiers and dependents, war with Spain	13,482.00
State Aid to soldiers and dependents, Philippine Service	948.00
State Aid to soldiers and dependents, German War Service	2,753.00
Military Aid to soldiers and sailors, Civil War	2,882.50
Military Aid to soldiers and sailors, war with Spain	9,612.25
Military Aid to soldiers and sailors, Philippine Service	1,048.50
Military Aid to soldiers and sailors, Mexican Border	937.50
Military Aid to soldiers and sailors, German War Service	51,260.70
Burial expenses of soldiers and their dependents	4,142.50
Total for 1924	\$333,053.95

The decrease of many Civil War recipients is mainly the cause of a decrease from the former report of \$43,304.15. The increase in the pensions of Civil War veterans, where they require regular aid and attention, from \$50 a month to \$72, making it unnecessary in many cases to continue their state aid allowance, tended also to the reduction in the amount paid to Civil War recipients. The ever ready cooperation we are receiving from the U. S. Veterans' Bureau, Washington, D. C., and the manager and staff of the local Bureau in Boston, cannot be excelled. At no time in our dealings with each other has there been a semblance of any attempt to evade the financial responsibility or physical care of a veteran when it had been decided that the case should be cared for either by the State or the U. S. Veterans' Bureau. Our Agents in their visits to investigate the needs of applicants for Military Aid have received every courtesy and helpful advice from the Chief Surgeons of the U. S. Naval Hospital at Chelsea, and the U. S. Veterans' Hospital at West Roxbury in the matter

of medical reports of claimants, which have proved invaluable as a matter of protection to the State. Excellent support has also been given us by the headquarters of the American Legion and the Veterans of Foreign Wars in the matter of service to the veterans and those dependent on them.

State Aid

The total number of State Aid recipients, Civil War, for 1924, was 3984, classified as follows:—

Soldiers, 1035; decrease, 252.

Wives, 22; decrease, 9.

Widows, 2907; decrease, 454.

Children, 20; decrease, 1.

Total, 3984.

Net decrease of recipients during 1924, 716.

Average cost to State per person aided, \$61.74+.

The total number of State Aid recipients, Spanish War, for 1924, was 217, classified as follows:—

Soldiers, 25; decrease, 2.

Wives, 2.

Widows, 156; decrease, 1.

Mothers, 33; decrease, 8.

Army nurses, 1.

Total, 217.

Net decrease of recipients during 1924, 11.

Average cost to State per person aided, \$62.12+.

The total number of State Aid recipients, Philippine Insurrection service, for 1924, was 17, classified as follows:—

Soldiers, 6; decrease, 3.

Widows, 10; increase, 2.

Mothers, 1.

Total, 17.

Net decrease of recipients during 1924, 1.

Average cost to State per person aided, \$55.76+.

The total number of recipients of State Aid, war with Germany, for 1924, was 60, classified as follows:—

Soldiers, 3; increase, 1.

Widows, 28; increase, 12.

Mothers, 14; increase, 2.

Fathers, 1.

Children, 13.

Army nurses, 1; increase, 1.

Total, 60.

Net increase of recipients during 1924, 16.

Average cost to State per person aided, \$45.88+.

Military Aid

Military Aid to the amount of \$65,741.45—an increase of \$5,257.20 from 1923—was disbursed as follows:—

Civil war soldiers, 40; decrease, 17.

Spanish war soldiers, 102; increase, 3.

Philippine Insurrection soldiers, 15; increase, 3.

Mexican Border service soldiers, 8; decrease, 1.

German war soldiers, 504; increase, 12.

German war army nurses, 2; increase, 1.

CIVIL WAR:—Amount expended, classes 1 and 2,.....\$2,882.50

Average cost to State per person aided, \$72.06+.

Amount expended, Classes 3 and 4, none.

SPANISH WAR:—Amount expended, Classes 1 and 2,.....\$9,612.25

Average cost to State per person aided, \$94.23+.

Amount expended, Classes 3 and 4, none.

PHILIPPINE SERVICE:—Amount expended, Classes 1 and 2,.....\$1,048.50

Average cost to State per person aided, \$69.90.

Amount expended, Classes 3 and 4, none.

MEXICAN BORDER SERVICE:—Amount expended, Classes 1 and 2,.....\$937.50

Average cost to State per person aided, \$117.18+.

Amount expended, Classes 3 and 4, none.

GERMAN WAR SERVICE:—Amount expended, Classes 1 and 2,.....\$51,260.70

Average cost to State per person aided, \$101.30+.

Amount expended, Classes 3 and 4, none.

Total\$65,741.45

Burial Expenses of Soldiers, Sailors and Marines, their Wives, Widows and Dependent Mothers, and Army Nurses, under Sections 19 to 21, Chapter 115, General Laws, as amended by Chapters 262 and 266, Acts of 1924.

The burial law provides for the payment of an amount not to exceed \$60.00 for the burial or funeral expenses in the cases of soldiers, sailors and marines of the Civil and Spanish wars, the Indian Campaigns, the Philippine Insurrection, the Mexican Border service and the war with Germany, and their wives, widows and dependent mothers, and army nurses, who die without leaving ample means to defray their funeral expenses, on condition, however, that the total expense of the burial by whomsoever incurred does not exceed \$160.00.

During the year 1924, 76 claims were approved at an expense to the Commonwealth of \$4,142.50—classified as follows:—

Civil War:—

Soldiers, 22; decrease, 32.

Wives, 1.

Widows, 37; decrease, 17.

Total, 60.

Spanish War:—

Soldiers, 3; decrease, 1.

Wives, 1; increase, 1.

Widows, 0; decrease, 1.

Mothers, 0; decrease, 1.

Total, 4.

Philippine Insurrection:—

Soldiers, 0; decrease, 3.

Mothers, 0; decrease, 1.

Total, 0.

German War:—

Soldiers, 12; increase, 3.

Total, 12.

Net decrease during 1924, 52.

Average burial cost to State per person, \$54.50+.

Many times in the past this Department has been notified in writing or in person of a tax payer's complaint in regard to a city or town that was granting Soldiers' Relief contrary to the intent of the Soldiers' Relief law. While it would seem that ample provision was made for a veteran or his dependent who was denied relief, there appeared to be no redress in the law for the tax payer when it appeared that the disbursing authorities of cities and towns were granting aid in excess of the amount intended by the law or acting contrary to its intent in aiding unworthy cases. It was therefore considered necessary to enact a law to remedy such a situation should it arise in the future. See Chapter 137, Acts of 1925.

Much delay and irritation in the determination of the legal settlements of veterans and their dependents have been avoided by the passage of Chapter 187, Acts of 1925. Prior to the passage of this law, many cities and towns

denied settlement for the reason that it appeared that a person, while in the process of acquiring a settlement in a jurisdiction, received the merest form of public aid or treatment even though no charge for same was made to the recipient or the jurisdiction of the recipient's settlement. In a great majority of these cases, the parties aided were unaware that they were accepting public aid or that the treatment received had the effect of pauperizing them and defeating the acquisition of a legal settlement in the place where they were residing. Said Chapter 187 amends the settlement law as set forth in Chapter 116 of the General Laws so that if a soldier or his dependent who is eligible to receive Military Aid or Soldiers' Relief under Chapter 115 of the General Laws receives aid or treatment in any hospital or other institution, such aid or treatment shall not have the effect of preventing or defeating the acquisition of a legal settlement. I deem it advisable to publish these acts for the guidance of municipal authorities.

[CHAP. 137.]

AN ACT RELATIVE TO THE INVESTIGATION OF CERTAIN COMPLAINTS CONCERNING THE GRANTING OF SOLDIERS' RELIEF.

Be it enacted, etc., as follows:

Chapter one hundred and fifteen of the General Laws is hereby amended by striking out section eighteen and inserting in place thereof the following:—*Section 18.* The aldermen or selectmen shall furnish such relief without authority of a vote of the city council or of the town. Such relief shall be furnished only by, through or under the agency or direction of city or town officers authorized to disburse state or military aid. Upon complaint of any person aggrieved by the failure to furnish such relief or upon complaint of any citizen that such relief is being granted contrary to the provisions of the preceding section, the commissioner shall forthwith make a thorough investigation and determine the amount of relief, if any, to be given. The decision of the commissioner shall be final, but may at any time be amended or reversed by him.

Approved March 18, 1925.

[CHAP. 187.]

AN ACT TO PREVENT THE PAUPERIZATION OF CERTAIN VETERANS OR THEIR DEPENDENTS BY THE RECEIPT OF AID OR TREATMENT IN HOSPITALS OR OTHER INSTITUTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter one hundred and sixteen of the General Laws is hereby amended by adding at the end thereof the following:—If a soldier or a dependent of a soldier eligible to receive military aid or soldiers' relief under chapter one hundred and fifteen receives aid or treatment in any hospital or other institution, such aid or treatment shall not have the effect of preventing or defeating the acquisition of a legal settlement,—so as to read as follows:—*Section 4.* No person who actually supports himself and his family shall be deemed to be a pauper by reason of the commitment of his wife, child or other relative to a state hospital or institution of charity, reform or correction by order of a court or magistrate, and of his inability to maintain such person therein; or who, to the best of his ability, has attempted to provide for himself and his dependents and has not been a mendicant, and who, through no crime or misdemeanor of his own, has come into grievous need and receives aid or assistance given temporarily, or partial support continuously, to him or his family; provided, that nothing herein shall be construed to affect, directly or indirectly, settlement, poor, or pauper laws, or laws under which any charity, aid or assistance is furnished by public authority. If a soldier or a dependent of a soldier eligible to receive military aid or soldiers' relief under chapter one hundred and fifteen receives aid or treatment in any hospital or other institution, such aid or treatment shall not have the effect of preventing or defeating the acquisition of a legal settlement.

SECTION 2. Section three of said chapter one hundred and sixteen is hereby

amended by adding at the end thereof the words:—except as otherwise provided by section four in the case of a soldier or a dependent of a soldier eligible to receive military aid or soldiers' relief under chapter one hundred and fifteen,—so as to read as follows:—*Section 3.* No person while receiving aid under chapter one hundred and eighteen or for whom the commonwealth or a town has incurred expense in consequence of smallpox, scarlet fever, diphtheria, tuberculosis, dog bite requiring anti-rabic treatment or other disease dangerous to the public health, shall be deemed to be a pauper by reason thereof, but while receiving such aid and treatment he shall not acquire or be in process of acquiring a settlement except as otherwise provided by section four in the case of a soldier or a dependent of a soldier eligible to receive military aid or soldiers' relief under chapter one hundred and fifteen.

Approved March 28, 1925.

Total Payments of State Aid.

The total payments by the Commonwealth for State and Military Aid and burial of indigent soldiers and sailors, including appropriations made by the General Court toward maintenance and improvements of the Soldiers' Home in Massachusetts, and on account of special laws, from 1861 to the close of 1924, were		\$49,191,959 17
State and Military Aid and burial of soldiers and sailors on account of 1924, paid in 1925		333,053 95
		<hr/>
		\$49,525,013 12
Less refunds on account of payments of previous years		1,066 25
		<hr/>
		\$49,523,946 87
Special laws, 1925
Soldiers' Home, 1925		215,000 00
		<hr/>
Total November 30, 1925		\$49,738,946 87

Bounties and Gratuities.

Total payments of bounties on account of soldiers in the Civil war to date		\$17,872,859 82
Gratuities (Acts 1912, Chap. 702; Acts 1913, Chapters 105 and 443)	572,000 00	
Gratuities (General Acts 1919, Chapters 283 and 342)	18,464,018 72	36,908,878 54
		<hr/>
Total November 30, 1925		\$86,647,825 41

SOLDIERS' RELIEF

While the State does not reimburse cities and towns for any part of the aid granted under the Soldiers' Relief law—Chapter 115, sections 17 and 18, General Laws—there is a provision in this law which gives veterans and their dependents who are aggrieved in the matter of payment a right of appeal to the Commissioner of State Aid and Pensions, which obliges him to investigate with reference to such appeal and cause a decision to be made, which decision may be amended or reversed by him if conditions warrant it. The particular contention or dispute in most of these appeals arises in reference to determining the place of the legal settlement of the applicant that should legally assume the financial burden of Soldiers' Relief rather than any desire on the part of municipal authorities to shirk their responsibility in the case. This Department received 139 appeals under this law, which necessitated considerable investigation on the part of our Agents to establish proof of legal settlement and satisfy the municipalities as to the need in these cases. We have endeavored to deal fairly with the aggrieved parties and the cities or towns of legal settlement, and it would appear that our decisions and rulings have been satisfactory to the persons concerned. Favorable action was taken on my recommendation to the Legislature of last year that veterans of

all our wars and their dependents be placed on the same basis so far as the determination and continuance of their legal settlements were concerned, which has greatly simplified procedure in Soldiers' Relief claims. See Chapter 34, Acts of 1925.

[CHAP. 34.]

AN ACT RELATIVE TO THE SETTLEMENT OF SOLDIERS AND THEIR DEPENDENTS.

Be it enacted, etc., as follows:

Section five of chapter one hundred and sixteen of the General Laws, as amended by chapter four hundred and seventy-nine of the acts of nineteen hundred and twenty-two, is hereby further amended by striking out the comma after the word "settlement" in the fourteenth line and by inserting after the word "sixteen" in the fifteenth line the words:—, or any settlement subsequently acquired,—so as to read as follows:—*Section 5.* Each settlement existing on August twelfth, nineteen hundred and eleven, shall continue in force until changed or defeated under this chapter, but from and after said date failure for five consecutive years by a person, after reaching the age of twenty-one, to reside in a town where he had a settlement shall defeat such settlement. The time during which a person shall be an inmate of any almshouse, jail, prison, or other public or state institution, within the commonwealth or in any manner under its care and direction, or that of an officer thereof, or of a soldiers' or sailors' home whether within or without the commonwealth, shall not be counted in computing the time either for acquiring or for losing a settlement, except as provided in section two. The settlement existing on August twelfth, nineteen hundred and sixteen, or any settlement subsequently acquired, of a soldier and his dependent eligible to receive military aid and soldiers' relief under existing laws shall be and continue in force while said soldier or dependent actually resides in the commonwealth and until a new settlement is gained in another town in the manner heretofore prescribed.

Approved February 17, 1925.

PERSONNEL

The clerks and agents in this department are keeping up the high quality of service to the veteran and his dependents, as is indicated by the many expressions of appreciation we receive in our daily routine. Our agents have rendered excellent service, and have made 8756 house calls and 967 hospital calls to interview sick and disabled veterans in local and Government hospitals, and prepared 154 new applications in hospitals in order to expedite Military Aid claims of applicants who were far removed from the city or town of their legal settlement. Col. Frank P. Williams, Chief Surgeon of the Commonwealth, and his staff are doing excellent work in the medical survey of applicants for Military Aid referred to him by this office. The clearness of his diagnoses and his advice in the medical surveys enable us to deal favorably with the worthy veteran and also protect the State from those who would abuse its generosity.

It is with regret that I have to report the death on March 19 last of Charles C. Donoghue, examiner of legal settlement and support claims. Mr. Donoghue was a veteran of the Spanish-American War. He was well informed regarding his duties, and rendered faithful service to the Commonwealth.

PENSION DEPARTMENT

Herewith is submitted a brief summary of the work performed in the Pension Department during the year 1925.

Classification of Claims filed during the Year.

Soldiers (General Law), Original	9
Soldiers (General Law), Increase	7
Soldiers (Act May 1, 1920), Civil War, Original	4
Soldiers (Act May 1, 1920), Civil War, Increase	333
Soldiers (Act March 4, 1917), Indian Wars	8
Soldiers (Act June 5, 1920), Spanish War, Original	526
Soldiers (Act June 5, 1920), Spanish War, Increase	255
Nurses (Act June 5, 1920), Spanish War	1

P. D. 68	9
Widows (General Law)	12
Widows (Act May 1, 1920), Civil War	143
Widows (Act March 4, 1917), Indian Wars	5
Widows (Act Sept. 1, 1922), Spanish War	84
Widows (Accrued Pension)	14
Wives (Act March 3, 1899), One-half pension	1
Mothers	4
Fathers	1
Helpless children	1
Guardians	8
Reimbursement	72
Unendorsed checks	7
New pension certificate	7
Certificate in lieu of discharge	2
Arrears of pay	2
Application for change of name	1
Ten years' service pension	1
	<hr/> 1508
Number of claims allowed	1004
Number of claims rejected	476

There was no new legislation affecting pensions for Civil or Spanish War veterans or their dependents during the year 1925.

Two hundred and eighty-five Civil War veterans, who filed claims through this office were granted an increase in pension from \$50. to \$72. per month, under the Act of May 1, 1920. In some instances the United States Pension Commissioner sent a physician to the home of the applicant, but in the majority of the claims an affidavit of the attending or family physician was accepted by the Pension Bureau as sufficient proof that the veteran was entitled to the increase.

The allowance of the additional \$22. per month has assisted in relieving the Commonwealth as well as its municipalities of the burden of paying aid to those whose pension of \$50. per month was inadequate to care for their needs.

Spanish War claims were received in about the same proportion this year as in the year 1924. Many of the veterans whose claims were rejected have applied again and are now receiving an increased rate. All applicants under the Act of June 5, 1920, are required to file an affidavit of a physician and if the Pension Commissioner is satisfied that the man's physical condition, as set forth in the affidavit, warrants an examination by the pension surgeons, an order is sent to the claimant to appear before the examining board.

Those who apply on account of disability resulting from an accident, are called upon to furnish their own sworn statement and that of two eyewitnesses, showing the time, place and incurrence of the accident, and whether or not it was in any way due to the veteran's own misconduct.

Approximately 2500 letters were received from the United States Pension Bureau, and in complying with their requirements fully 5000 documents were filed through this office during the year 1925. Many of the claimants brought their witnesses to this office and the necessary papers were filled out by the clerks, who also administered the oath, thereby saving the veterans and widows the expense of having the work done by a Notary Public or Justice of the Peace.

In widows' claims this office has obtained about 450 records of marriage, birth and death in the Office of the Secretary of State, without expense to the widows. In complicated cases where there were several marriages of the veteran or his widow, and the events took place outside of Massachusetts, letters have been written to assist the widow in obtaining certified copies of the records, and affidavits prepared for her to send to witnesses residing in distant places. A record of all the evidence forwarded to Washington in pension claims is kept in our files for reference.

This department is maintained primarily for the benefit of soldiers, sailors and their dependents having a residence in the Commonwealth of Massachu-

setts. A great many inquiries regarding United States pension laws are received from persons residing in other states, however, and prompt and careful attention is given to every communication.

Many persons who have filed claims through pension attorneys or claim agents in Washington, D. C., come to this office for advice regarding the obtaining of evidence called for by the Pension Bureau. Such cases receive the same attention that is given to claims filed through this department. Affidavits are written for them and they are assisted in every possible way to procure the necessary testimony and records to prove their title to a pension. Much time is consumed on these cases but as the original claims were not filed through this office no record of the work is kept.

The detail connected with the prosecution of pension claims is considerable, but the work has been facilitated by our friendly relations with the Honorable Winfield Scott, United States Pension Commissioner, who has endeavored to lessen the requirements as far as it is practicable to do so. Thanks are due the Commissioner and his office force for their courtesy and the attention given to claims filed by this department.